

Attorney Docket No.: 5559.204-US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Bojsen et al.

Confirmation No: 3719

Serial No.: 09/856,819

Group Art Unit: 1653

Filed: May 24, 2001

Examiner: Nashed

For: Lipolytic Enzyme Variants

**CERTIFICATE OF FACSIMILE TRANSMISSION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached correspondence comprising:

1. Information Disclosure Statement (IDS)
2. IDS SB08 PTO Form

was sent to the United States Patent and Trademark Office by telefax to the attention of Examiner Nashed, fax number (571)273-0934.

Respectfully submitted,

Date: March 2, 2006

*Julie Tabarovskiy*  
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**INFORMATION DISCLOSURE STATEMENT (IDS) UNDER 37 CFR 1.97(b)**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicants submit herewith references which may be material to the patentability of this application and with respect to which there may be a duty to disclose. While the references may be material under 37 C.F.R. 1.56, it is not intended to constitute an admission that the references are prior art. The filing of this IDS shall not be construed as a representation that no other material references than those listed exist or that a search has been conducted.

The references are listed in Form PTO/SB/08A, which is in accordance with the requirements of M.P.E.P. 609. A copy of the references is enclosed.

**ADDITIONAL INFORMATION FOR THE EXAMINER'S CONSIDERATION**

As the Examiner is aware, pending before the PTO is Danisco's U.S. Application No. 09/727,852, filed December 1, 2000, which claims the benefit of U.S. Provisional Application No. 60/189,780. The PCT counterpart is International Patent Application No. PCT/IB00/01861, which was filed on December 1, 2001 and published as WO 01/39602. Both U.S. Application No. 09/727,852 and WO 01/39602 are directed to methods for preparing a flour dough comprising adding to the dough components an enzyme that is capable of hydrolyzing a nonpolar lipid (*i.e.*, triglyceride), a glycolipid and a phospholipid ('triple activity'). See, for example, claim 1.

WO 01/39602 discloses three lipases which are shown to possess the triple activity; namely SP 972, SP 979 and a *Candida antarctica* lipase No. 62299 obtained from Fluka

Chemie AG. However, WO 01/39602 does not provide sequencing information for these three enzymes and is not enabling. WO 01/39602 states at page 33, line 18 that SP 972 and SP 979 were obtained from Novo Nordisk (Novozymes' predecessor and the assignee of the instant application).

SP 972 is the same lipase derived from *Fusarium oxysporum* strain DSM 2672 having an amino acid sequence of SEQ ID NO: 2 disclosed in WO 98/26057 (which is already of record), and sold commercially by Novozymes under the registered name of Lipopan® F. WO 98/26057 shows that SP 972 has both lipase and phospholipase activity, and WO 01/39602 shows that SP 972 has galactolipase activity.

The other lipases included in the examples of WO 01/39602 (GRINDAMYL EXEL 16, Stalingase, and Lipase 3) are prior art lipases.

It is respectfully requested that these references listed in Form PTO/SB/08A and the above information be considered by the USPTO in its examination of the above-identified application and be made of record therein.

This IDS is being filed within three months of the filing date of a national application or date of entry into the national stage of an international application, or before the mailing date of a first Office action on the merits, or before the mailing date of a first Office action after the filing of a request for continued examination. Therefore, no fee is due.

Date: March 2, 2006

Respectfully submitted,



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(212) 840-0097

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

**U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE**

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Substitute for form 1449A/PTO		Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		Application Number	09/856,819
		Filing Date	May 24, 2001
		First Named Inventor	Bojsen et al.
		Art Unit	1653
		Examiner Name	Nashed
		Attorney Docket Number	5559.204-IJS
Sheet	1	of	2

U.S PATENT DOCUMENTS

## **FOREIGN PATENT DOCUMENTS**

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.18 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08A (10-01)

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Approved for use through 10/31/2002. GPO 0-571-003  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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				Art Unit	1653
				Examiner Name	Nashed
Sheet	2	of	2	Attorney Docket Number	5559.204-US

**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner Signature		Date Considered	
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